



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING



REBECCA A. HUMPHRIES
DIRECTOR

October 15, 2007

TO: Rebecca A. Humphries, Director

INFORMATION: Natural Resources Commission

Transaction: Sale of Easement across Dedicated State-owned Land
Pigeon River Country Management Unit – Cheboygan County
Land Transaction Case # 20060019

Sale: 20-foot-wide easement

Description: Cheboygan County, Forest Township, T33N, R01E, Section 25: A 20-foot-wide easement being 10 feet on each side of the centerline of the existing two-track between the Canada Creek Road and the benefited land, over and across the northern 200 feet of the east 200 feet of the SW ¼ of the NE ¼, AND the South 100 feet of the East 100 feet of the NW ¼ of the NE ¼, all of Section 25.

Purchaser: The Porcupinery, LLC, Grand Blanc, Michigan

Fee Schedule Value: \$2,500.00

Sale Price: \$2,500.00

Authority: Part 21 of Act 451, Public Acts of 1994, as amended

Notice: This item will appear on the Department of Natural Resources' (Department) October 29, 2007 Calendar, and is eligible for approval on November 5, 2007. The transaction was also posted in local newspapers as required by legislation.

Comments: Based on historic and current plat maps, the applicants believed that county-maintained Canada Creek Road crossed their land, providing it with legal access. Based on this belief, the applicants (and their predecessors) have constructed, maintained, and used a two-track to access their land and a small cabin located in the northwestern 2.5 acres of the 40-acre property.

The applicants were preparing for the construction of two more cabins within the northwestern 2.5 acres of their property, when the plat maps upon which they relied were found to be in error. It has been determined that county-maintained Canada Creek Road does not provide legal access to the applicants' property, and approximately 200 feet of their access drive is located on State-

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owned land. They now wish to legalize their ongoing use of the State Forest two-track road.

The applicants are requesting an easement to serve up to four single-family dwellings (two existing structures and two new ones), each being no more than 1,000 square feet in size, and only to be located in the northwestern 2.5 acres of the applicants' property.

The transaction was reviewed by Department staff and the Department's Land Exchange Review Committee (LERC). The LERC recommended approval of the sale of the easement on June 21, 2007, with the restriction that the new structures are to be located within the applicants' northwestern 2.5 acres, so that the impact to adjacent State-owned land will be minimized. The State land over which the easement will run was acquired by tax reversion in 1910.

Proceeds from the sale of the easement will be deposited in the Land Exchange Facilitation Fund (LEFF). The LEFF Act allows the Department to sell rights in land and deposit the proceeds in a fund, which can be used to acquire replacement property. Deposit of said proceeds will not cause the fund to exceed \$2,500,000.00, as stipulated by legislation.

- Recommendations:
- (1) That the sale of the easement be approved under the authority of Part 21, Act 451 of 1994, as amended, subject to the conditions described above.
 - (2) That the proceeds from the sale be deposited into the LEFF.

David E. Freed, Chief
Land and Facilities

Lynne M. Boyd, Chief
Forest, Mineral and Fire Management

Douglas A. Reeves, Acting Chief
Wildlife

Arminda S. Koch
Resource Management Deputy

Dennis R. Fedewa
Chief Deputy

I approve the staff recommendations.

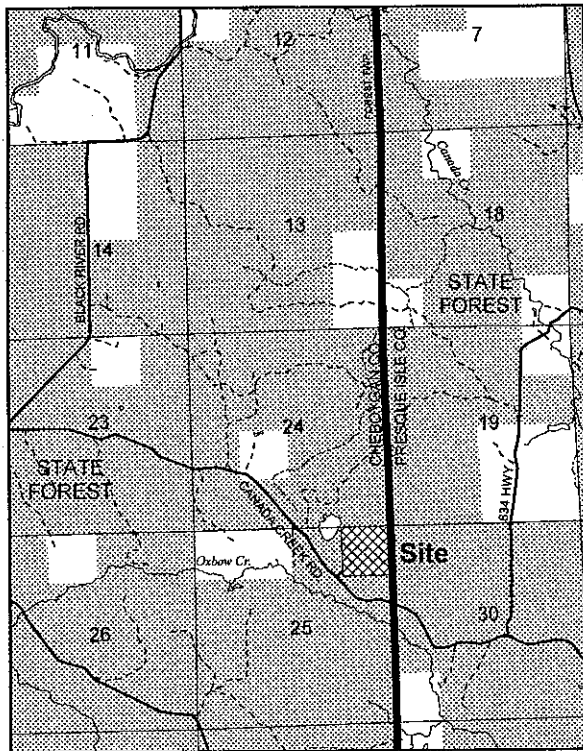
Rebecca A. Humphries
Director

Date Approved

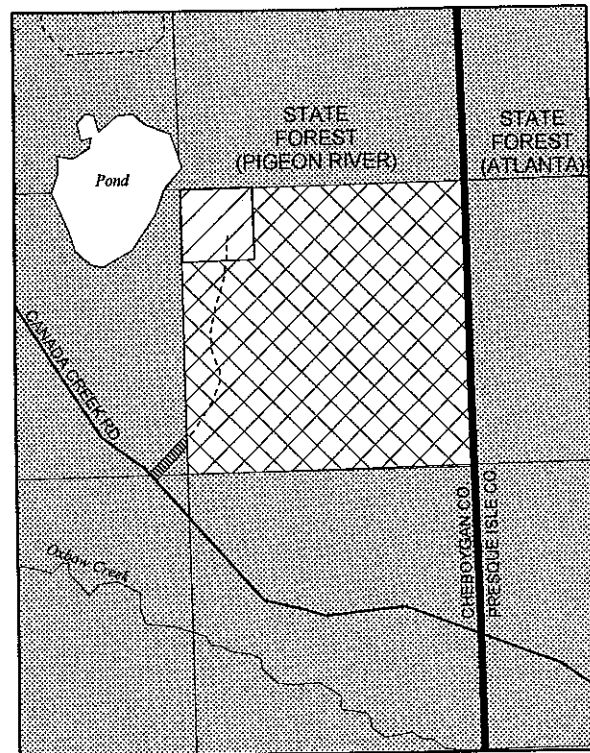
SALE OF EASEMENT ACROSS DEDICATED STATE LAND

Pigeon River Management Unit - Cheboygan County

Land Transaction Case #20060019

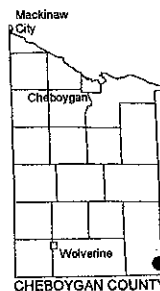


Regional Location



Section 25, T33N, R01E, Forest Township

- State Forest Boundary
- Desired Easement (20 ft. by 200 ft.)
- Applicant's Property
- Structures Limited to this Area on Applicant's Property (2.5 acres more or less)
- State Land
- Private Land



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